

REMARKS

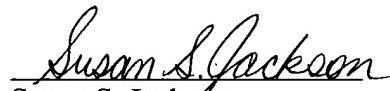
Applicants have amended claims 145 and 164 for clarification purposes. Support is found on page 18, lines 21-23 of the specification. No new matter has been added.

On page 2 of the Office Action, claims 145-151, 153, 155 and 157-166 were rejected under 35 U.S.C. 103(a) as being unpatentable over Osborn, III et al., U.S. Patent No. 5,647,862 (“Osborn”). In the Advisory Action of July 26, 2002, the Examiner makes reference to the fibers of WO 93/02235 cited in Osborn (col. 7, lines 30-35). Applicants submit that neither Osborn nor WO 93/02235 teach or suggest a distribution layer that comprises a capillary system of an essentially parallel bundle of synthetic fibers as in the present invention. Applicants emphasize the importance of the term “bundle.” Applicants refer to the meaning of the term “bundle” as defined on page 18, lines 16-34 of the specification. Applicants further submit that neither Osborn nor WO 93/02235 teach or suggest a bundle of synthetic fibers having an average inter-fiber capillary width of from 25 to 400 microns. Applicants point out, for example, that the fibers of Figs. 23A and 23B of WO 93/02235 referenced on page 41, lines 5-15 are uniformly spread out over all or part of the width of the absorbant article. Applicants point out that this teaches away from the bundle effect of the present invention. Therefore, a bundle of fibers having an average inter-fiber capillary width of 25 to 400 microns is not taught or suggested. Thus, the absorbant tow structures shown in WO 93/02235 and cited in Osborn essentially provide for single fibers working alone as opposed to fibers working in conjunction with other fibers in a bundle. Therefore, Applicants submit that neither reference teaches or suggests the present invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection.

It is indicated on page 1 of the Office Action that claim 152 is allowed.

In view of the foregoing, it is respectfully urged that the present claims are in condition for allowance and reconsideration is requested. An early notice to this effect is earnestly solicited. Should there be any questions regarding this application, the Examiner is invited to contact the undersigned at the number shown below.

Respectfully submitted,



Susan S. Jackson
Customer No. 021878
Kennedy Covington Lobdell & Hickman, L.L.P.
Bank of America Corporate Center, Suite 4200
100 North Tryon Street
Charlotte, NC 28201-4006
(704) 331-7410

Enclosures:

Version with markings to show changes made

Notice of Appeal

One Month Extension of time

VERSION WITH MARKINGS TO SHOW CHANGES MADE

145. (Twice Amended) A liquid acquisition/distribution structure comprising:

- (1) a top layer that is permeable to a liquid,
- (2) a distribution layer comprising a capillary system of an essentially parallel bundle of synthetic fibers, the bundle having an average inter-fiber capillary width of from 25 to 400 microns, providing capillary forces on the liquid when the liquid is in contact with said distribution layer tending to transport the liquid parallel to said top layer, and
- (3) a resistance layer having a resistance layer top surface and a resistance layer bottom surface, said resistance layer provides resistance to transmission of the liquid from said resistance layer top surface to said resistance layer bottom surface.

164. (Twice Amended) A liquid acquisition/distribution structure comprising:

- (1) a top layer that is permeable to a liquid and having a region intended for insult by a liquid;
- (2) a resistance layer having a resistance layer top surface and a resistance layer bottom surface, said resistance layer provides resistance to transmission of said liquid from said resistance layer top surface to said resistance layer bottom surface; and
- (3) a distribution layer between the top layer and said resistance layer comprising a capillary system of an essentially parallel bundle of synthetic fibers, the bundle having an average inter-fiber capillary width of from 25 to 400 microns, providing capillary forces on the liquid when the liquid is in contact with said distribution layer, said capillary forces tending to transport the liquid substantially parallel to said top surface;
- (4) wherein said resistance layer comprises

- (a) a first region directly beneath said region intended for insult by said liquid,
- (b) a second region that is separated from said first region,
- (c) a third region that separates said first region from said second region, and
- (d) said first and second regions have a lower resistance to transmission of said liquid from said resistance layer top surface to said resistance layer bottom surface than said third region.